

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION**

VALECIA BOLDEN,)
)
Plaintiff,)
)
v.) **No. 1:19-cv-01262-STA-jay**
)
LAKE COUNTY BOARD OF EDUCATION,)
)
Defendant.)

**ORDER ADOPTING REPORT AND RECOMMENDATION
ORDER TO ISSUE AND AFFECT SERVICE OF PROCESS
ORDER OF PARTIAL DISMISSAL**

Before the Court is the United States Magistrate Judge's Report and Recommendation on Plaintiff Valecia Bolden's Complaint. The Magistrate Judge has recommended that the Court construe Plaintiff's recent filing (ECF No. 8) as a supplement to her Complaint, direct the Clerk of Court to issue summons for Ms. Bolden's Title VII, ADA, and defamation claims, and dismiss her negligence claim under Tennessee law.

Pursuant to 28 U.S.C. § 636(b), a district court "shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." 28 U.S.C. § 636(b)(1)(C). Plaintiff had fourteen (14) days from the service of the Magistrate Judge's report in which to file objections to the recommended conclusions and an additional three (3) days from the service of the report under Federal Rule of Civil Procedure 6(d). *See Fed. R. Civ. P. 6(d)* (adding 3 days to a party's time to act when the party may or must act within a specified time after service and service is made by means of U.S. mail). The Magistrate

Judge issued his report on February 13, 2020. Plaintiff's deadline to file objections to the Magistrate Judge's report then was March 2, 2020. Plaintiff has not filed any objections to the report, and the time to do so has now passed. Under the circumstances, the Court may adopt the findings and rulings of the Magistrate Judge to which no specific objection is filed. *Thomas v. Arn*, 474 U.S. 140, 149–52 (1985).

Having reviewed the Magistrate Judge's Report and Recommendation and the entire record of the proceedings, the Court hereby **ADOPTS** the Report. As such, the Court construes Plaintiff's filing as a supplement to her pleadings. Plaintiff's negligence claims are hereby dismissed, consistent with the Magistrate Judge's recommendation. Plaintiff's remaining claims will proceed.

It is **ORDERED** that the Clerk shall issue summons for the Lake County Board of Education at the address listed in the Complaint and in Plaintiff's administrative charge: 819 McBride Street, Tiptonville, TN 38079. The Clerk should then deliver process to the United States Marshal for service of the summons and complaint. Service of the Complaint (ECF No. 1) shall be made on the Lake County Board of Education pursuant to Rule 4(h)(1) of the Federal Rules of Civil Procedure. The United States shall advance all costs of service.

It is further **ORDERED** that Plaintiff shall serve a copy of every document she files in this case on the attorneys for the Lake County Board of Education. Each of Plaintiff's filings with the Court must include a certificate of service. Plaintiff must familiarize herself with the Federal Rules of Civil Procedure and the Court's Local Rules.¹ Plaintiff shall promptly notify the Clerk of any change of address or extended absence. Plaintiff's failure to comply with these requirements, or any other order of the Court, may result in the dismissal of this case without further notice.

¹ A free copy of the Local Rules may be obtained from the Clerk. The Local Rules are also available on the Court's website at www.tnwd.uscourts.gov/pdf/content/LocalRules.pdf.

IT IS SO ORDERED.

s/ S. Thomas Anderson
S. THOMAS ANDERSON
CHIEF UNITED STATES DISTRICT JUDGE

Date: March 10, 2020